

REMARKS

I. Status Summary

Claims 1-60 are pending in the present application. Claims 5-60 have been withdrawn pursuant to a Restriction/Election Requirement issued by the U.S. Patent Office (hereinafter "the Patent Office"). Claims 1-4 are currently under examination.

Claims 1-4 are rejected under 35 USC § 112, first paragraph, upon the contention that the claims fail to comply with the enablement requirement.

Claims 1 and 2 have been amended. Support for the amendments to claims 1 and 2 can be found throughout the specification as filed, including particularly in original claims 1 and 2, and in the Sequence Listing. No new matter has been added.

Reconsideration of the application based on the amendments and arguments set forth herein is respectfully requested.

II. Response to the Rejection under 35 U.S.C. § 112, First Paragraph

In the subject Advisory Action the rejection of claims 1-4 under 35 USC § 112, first paragraph, upon the contention that the claims fail to comply with the enablement requirement, has been maintained for reasons of record.

After careful consideration of the rejections and the Patent Office's bases therefor, applicants respectfully traverse the rejections and submit the following remarks.

Without acquiescing to the contentions of the Patent Office and in an effort to further prosecution, applicants respectfully submit that claims 1 and 2 have been amended. In particular, claim 1 has been amended to recite, "An isolated and purified biologically active heparan sulfate 3-O-sulfotransferase 5 polypeptide having an amino acid sequence set forth in SEQ ID NO 2". Claim 2 has been amended to recite "The isolated and purified, biologically active heparan sulfate 3-O-sulfotransferase 5 polypeptide of claim 1, wherein the polypeptide comprises a polypeptide encoded by a nucleic acid sequence as set forth in SEQ ID NO 1". Support for the amendments to claims 1 and 2 can be found throughout the

specification as filed, including particularly in original claims 1 and 2, and in the Sequence Listing. No new matter has been added.

Applicants respectfully submit that the specification adequately enables one of ordinary skill in the art to practice the claimed subject matter commensurate in scope with present claims 1 and 2. Accordingly, applicants respectfully submit that present claims 1 and 2 are believed to be in compliance with the enablement requirement under 35 USC § 112, first paragraph.

Claims 3 and 4 depend from claim 1 and are also believed to be in compliance with the enablement requirement under 35 USC § 112, first paragraph, for at least the reasons discussed hereinabove.

Therefore, applicants respectfully submit that the instant rejection of claims 1-4 under 35 USC § 112, first paragraph, is believed to have been addressed. Withdrawal of the instant rejection is respectfully requested. A Notice of Allowance is also respectfully requested.

CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

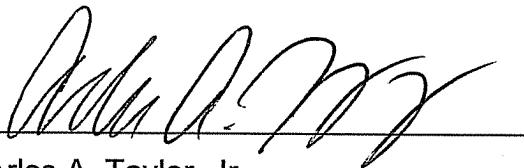
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any deficiencies of payment or credit any overpayment associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: 10/29/2008

By: 

Arles A. Taylor, Jr.
Registration No. 39,395
Customer No: 25297
(919) 493-8000

421/67 PCT/US AAT/LRL/cam/dbp